



10/23/03

165-1

Attorney Docket No.: 5175-126

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Application of)	
Phelps <i>et al.</i>)	Examiner: Lankford Jr., Leon B.
)	
Serial No.: 10/076,490)	Group Art Unit: 1651
)	
Filed: February 15, 2002)	Date: October 9, 2003

For: METHODS AND APPARATUS FOR SELECTIVELY PROCESSING EGGS
HAVING IDENTIFIED CHARACTERISTICS

RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop Non-Fee Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Response to Restriction Requirement is responsive to the Office Action (the "Action") mailed October 3, 2003.

REMARKS

The Action states that restriction to one of the following inventions is required under 35 U.S.C. § 121:

- Invention I: Claims 1-38;
- Invention II: Claims 39-80;
- Invention III: Claims 81-90; or
- Invention IV: Claims 91-180.

For purposes of providing a complete reply to the Action, Applicants elect Invention I (Claims 1-38) for prosecution on the merits.

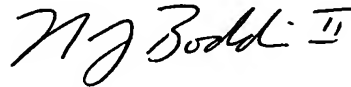
This election is made with traverse, however, because the nature of the subject matter is such that it would enable the Examiner to search the claims of Inventions I through IV. Moreover, Applicants respectfully submit that it would not create an undue hardship on the Examiner to search Inventions I through IV together. (See M.P.E.P. § 803).

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CONCLUSION

Accordingly, it is respectfully submitted that this application is in condition for substantive examination, which action is respectfully requested.

Respectfully submitted,



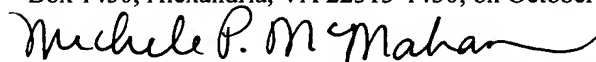
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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Mail Stop Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on October 9, 2003.



Michele P. McMahan Date of Signature: October 9, 2003